

# COMMSOUTH MEDIA, INC.

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FCC - CIVIL DIVISION

March 14, 1997

Mr. William F. Caton  
Acting Secretary  
Federal Communications Commission  
1919 M Street, N.W. - Room 222  
Washington, D.C. 20554

Re: Petition to Amend FM Table of Assignments 73.202(b)  
Saint Florian, Alabama

Dear Mr. Caton,

Pursuant to Section 1.401 of the Federal Communications Commission's Rules, please find enclosed an original and four copies of the above styled Petition for Rule Making on behalf of Power Valley Enterprises.

Please don't hesitate to call me should you have any questions or concerns about this matter.

Sincerely,



Kirk A. Tollett  
Consultant to Power Valley Enterprises

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Before the  
**FEDERAL COMMUNICATIONS COMMISSION**  
Washington, D.C. 20554

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In the Matter of	)	
	)	
Amendment of Section 73.202 (b)	)	Docket No. _____
Table of Assignments,	)	RM _____
FM Broadcast Stations	)	
Saint Florian, Alabama	)	

To: Chief, Policy and Rules Division

**PETITION FOR RULE MAKING**

Fredrick A. Biddle dba/ Power Valley Enterprises, (hereinafter "Petitioner"), pursuant to Section 1.401 of the Commission's Rules, respectfully petitions the Commission to institute a rulemaking proceeding looking toward the assignment of FM Channel 274A to Saint Florian, Alabama, and to amend Section 73.202(b) of the Commission's Rules as follows:

	Channel Number	
City	Present	Proposed
Saint Florian, Alabama		274A

In support whereof the following is shown:

1. As reflected in the attached technical exhibit, prepared by Commsouth Media Inc., the requested assignment of FM Channel 274A at Saint Florian, Alabama, can be made in full compliance with all applicable minimum mileage separations and other technical requirements under the Commission's Rules at a site restriction of 8.9 kilometers north-northwest of the proposed community of license. Further, Channel 274A can be assigned to Saint Florian, Alabama without any other changes in the Table of Assignments.

2. Saint Florian, Alabama is an incorporated City located in the central portion of Lauderdale County, in Northwest Alabama. 1990 U.S. Census figures for the City of Saint Florian was 388 persons. The 1990 Census figures for Lauderdale County were 79,661 persons. No local broadcast service is currently available to the City of Saint Florian, Alabama.

3. It is the long standing policy of the Commission as mandated by Congress to allow the most efficient use of available spectrum in order to advance the public interest, convenience, and necessity. There is no broadcast facility currently licensed to Saint Florian, Alabama. Therefore, if adopted this proposal would provide first local service to the community of Saint Florian, Alabama.

4. As can be ascertained from the attached declaration, if Channel 274A is allocated to Saint Florian, Alabama, petitioner will promptly apply for a construction permit for the new FM broadcast station, and if a construction permit is granted, petitioner will promptly construct and operate the station for which he is licensed.

WHEREFORE, for the foregoing reasons, the Commission should amend Section 73.202(b) of its Rules by allocating FM Channel 274A to Saint Florian, Alabama.

Respectfully Submitted,

A handwritten signature in black ink, appearing to read 'Kirk A. Tollett', with a stylized flourish extending to the right.

Kirk A. Tollett  
Consultant to Fredrick A. Biddle  
dba/ Power Valley Enterprises

Commsouth Media, Inc.  
P.O. Box 810  
Crossville, Tennessee 38557-0810  
(615)456-4656  
March 7, 1997

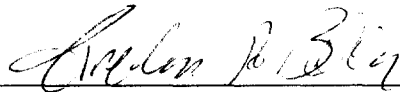
## DECLARATION

I, Fredrick A. Biddle, hereby certify that:

1. That I am a citizen of the United States and of the State of Alabama.
2. I am a petitioner requesting the Federal Communications Commission institute the appropriate Rulemaking to allocate FM Radio Channel 274A (102.7 MHz) to the Community of Saint Florian, Alabama.
3. I have retained Kirk A. Tollett and Commsouth Media, Inc., to assist me in the preparation and filing of the required technical exhibits to facilitate the afore mentioned rulemaking.
4. If FM Channel 274A or an equivalent channel is allocated to Saint Florian, Alabama, I will promptly apply; either individually or as an entity of which I am a part, apply for a construction permit to operate the new FM broadcast station. If a construction permit is granted, I or an entity of which I am a part, will promptly construct and operate the station for which I am licensed.

I hereby certify under penalty of perjury that the above statement is true.

Signed and dated this 16 day of March, 1997



Fredrick A. Biddle  
Individually and dba Power Valley Enterprises  
#17 County Road 404  
Iuka, Mississippi 38852

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**Prepared by:**  
**Kirk A. Tollett**  
**Commsouth Media, Inc.**  
**P.O. Box 810**  
**Crossville, Tennessee 38557**

**Prepared for:**  
**Fredrick A. Biddle**  
**Power Valley Enterprises**  
**#17 County Road 404**  
**Iuka, Mississippi 38852**

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**Technical Statement**

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**Petition for Rule Making**

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**Saint Florian, Alabama**

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**TECHNICAL STATEMENT**  
In support of  
**PETITION FOR RULE MAKING**  
Power Valley Enterprises  
Saint Florian, Alabama  
March, 1997

**INTRODUCTION**

This technical statement has been prepared on behalf of Power Valley Enterprises, in support of a Petition for Rule Making, requesting a change in the FM Table of Assignments, Paragraph 73.202(b) of the FCC Rules as follows:

City	Channel Number	
	Present	Proposed
Saint Florian, Alabama		274A

As can be gleaned from the attached Figures, Channel 274A can be added to the Federal Communications Commission Table of Assignments with out the necessity of any other changes and without the creation of any new preclusion area.

**DISCUSSION**

Figure 1, is a computer generated allocation study using the Commission's specified method of distance computations outlined in Section 73.313 of the Commission's Rules. Figure 1 clearly demonstrates the assignability of FM Channel 274A to Saint Florian, Alabama.

Figure 2 contains a full scale photo reproduction of a portion of the USGS 1:24,000 scale map entitled "Blackburn, Alabama", upon which the reference coordinates used in this study have been super-imposed. The geographic coordinates selected for this study were:

N 34° 57' 08"

W 87° 39' 30"

The allocation reference point outlined on Figure 2 is located 8.9 kilometers north-northwest of Saint Florian, Alabama and is not located close to any known environmentally sensitive area, state or federal park or close to any airport on which tower construction is prohibited or close enough to an airport or otherwise in an area which would necessarily present a hazard to air navigation.

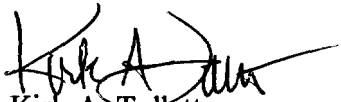
Figure 3 demonstrates the calculated city grade signal (70 dBu) of the proposed facility utilizing a hypothetical tower, with a center of radiation 100 meters above average terrain and an effective radiated power of six kilowatts from the reference coordinates used in this petition.

## **CONCLUSION**

Based on this information, and the figures that are included in this Report, we believe that the proposed assignment would be in full compliance with the Federal Communications Commission's Rules, and that Channel 274A could be assigned to Saint Florian, Alabama as that community's first local broadcast service. As can be gleaned in Figure 3, and as is required by Section 73.315 of the Commission's Rules, a full Class A facility located at the allocation reference point used in this study will place the required city grade signal over the entire community of Saint Florian, Alabama.

Therefore, Power Valley Enterprises, respectfully requests amendment of the Commission's Table of Assignments, Section 73.202(b), and will promptly apply for a construction permit, should the Federal Communications Commission make the requested assignment.

Respectfully,

A handwritten signature in black ink, appearing to read "Kirk A. Tollett", with a long horizontal flourish extending to the right.

Kirk A. Tollett

Consultant to Power Valley Enterprises

March 7, 1997



**FIGURE 1**  
**FM SEPARATION STUDY**  
**POWER VALLEY ASSOCIATES**  
**NEW FM CHANNEL 274 CLASS A**  
**SAINT FLORIAN, ALABAMA**

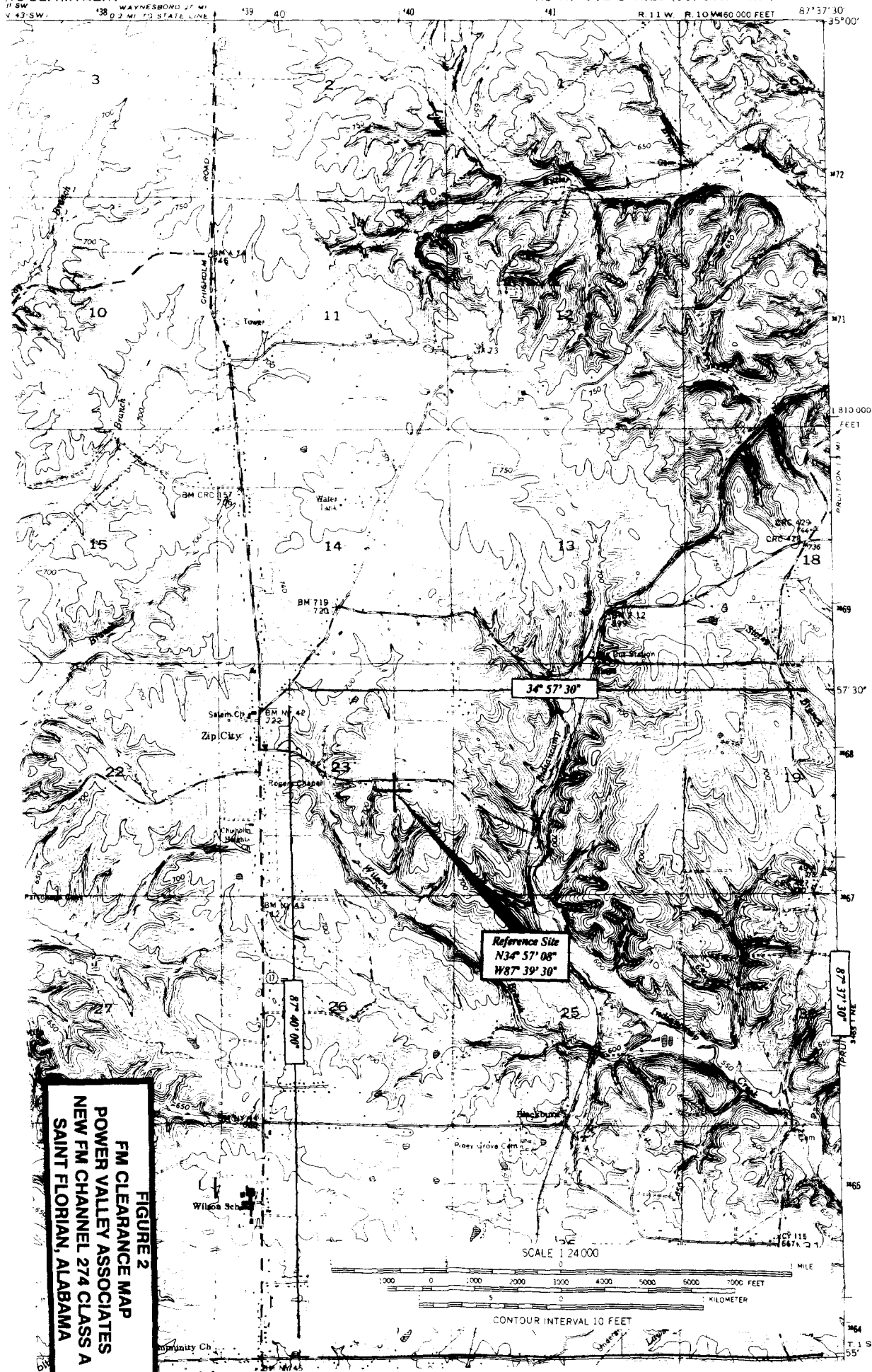
FM search of channel 274A6 (102.7 MHz), at N. 34 57 8, W. 87 39 30.

Searching Channel 274A6 (102.7 MHz):

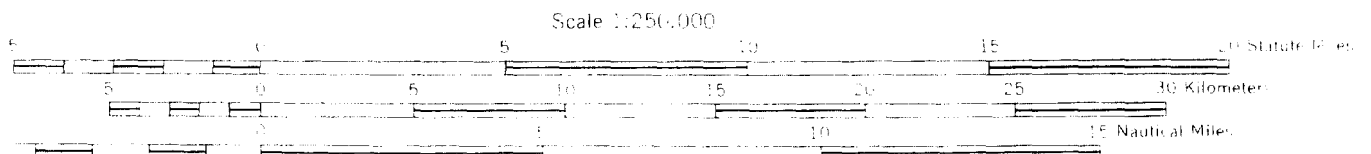
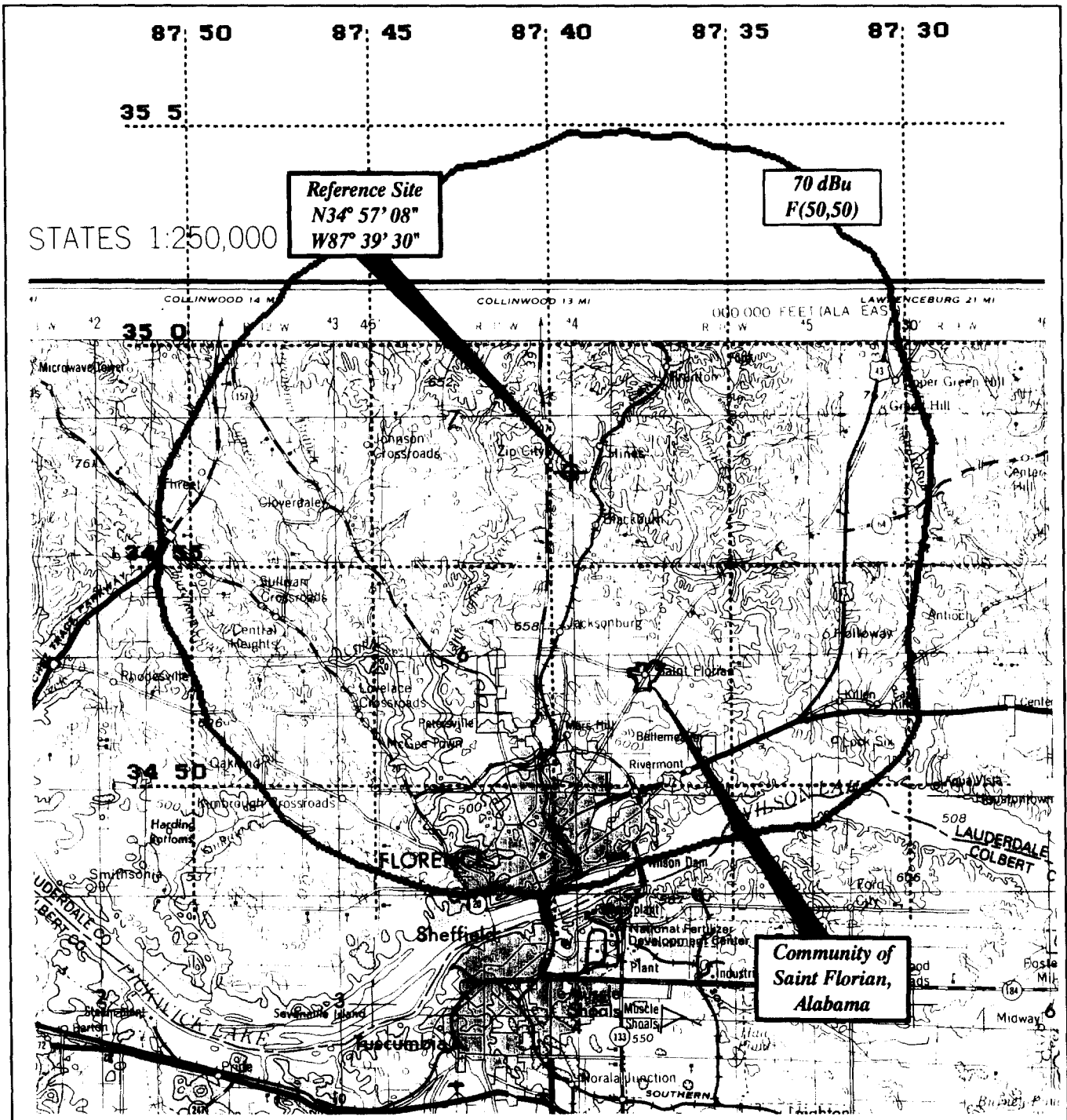
CALL	CITY	ST	CHN	CL	S	DIST	SEPN	BRNG	
CLEARANCE									
NEW	Corinth	MS	220	A	A	71.7	10.0	266.3°	61.7
NEW	Burnsville	MS	220	C2	A	67.9	14.0	267.5°	53.9
W220AW	Hohenwald	TN	220	D	C	68.7	0.0	7.7°	68.7
ALC	Minor Hill	TN	221	A	U	46.8	10.0	66.3°	36.8
WEUPFM	Minor Hill	TN	221	A	L	46.8	10.0	66.3°	36.8
WEUPFM	Minor Hill	TN	221	A	C	46.8	10.0	66.3°	36.8
ALC	Decatur	AL	271	C1	U	85.4	75.0	100.0°	10.4
WDRM	Decatur	AL	271	C1	L	95.6	75.0	100.6°	20.6
ALC	Jasper	AL	273	C	U	164.9	165.0	171.7°	-0.0
WOWC	Jasper	AL	273	C	L	164.9	165.0	171.7°	-0.0
ALC	Dickson	TN	273	C1	U	141.5	133.0	9.9°	8.5
WQZQFM	Dickson	TN	273	C1	L	152.2	133.0	12.1°	19.2
W274AA	Muscle Shoals	AL	274	D	L	16.8	0.0	186.2°	16.8
ALC	Memphis	TN	274	C1	U	199.9	200.0	277.3°	-0.0
WEGR	Memphis	TN	274	C1	L	199.9	200.0	277.3°	-0.0
ALC	Shelbyville	TN	275	C1	U	133.2	133.0	45.0°	0.2
WZPC	Shelbyville	TN	275	C1	L	133.2	133.0	45.0°	0.2
WZPC	Shelbyville	TN	275	C1	C	133.2	133.0	45.0°	0.2
ALC	Moulton	AL	276	A	U	60.1	31.0	143.0°	29.1
W276AM	Florence, etc.	AL	276	D	L	16.8	0.0	186.2°	16.8
WXKI	Moulton	AL	276	A	L	60.9	31.0	139.4°	29.9
ALC	Jackson	TN	276	C2	U	123.0	55.0	299.6°	68.0
WMXXFM	Jackson	TN	276	C2	L	122.0	55.0	302.6°	67.0
ALC	Nashville	TN	277	C	U	140.9	95.0	31.4°	45.9
WKDF	Nashville	TN	277	C	L	140.9	95.0	31.4°	45.9

BLACKBURN QUADRANGLE  
ALABAMA-LAUDERDALE CO.  
7.5 MINUTE SERIES (TOPOGRAPHIC) 44-NW

3404 11 BE  
JOSEPH 43-SL



**FIGURE 3**  
**CITY GRADE COVERAGE CONTOURS**  
**POWER VALLEY ASSOCIATES**  
**NEW FM CHANNEL 274 CLASS A**  
**SAINT FLORIAN, ALABAMA**



## **CERTIFICATION**

Kirk A. Tollett hereby certifies that;


He is owner of Commsouth Media, Inc., a broadcast consulting firm based in Crossville, Tennessee;

His qualifications in broadcast matters are a matter of record before the Federal Communications Commission having been presented and accepted on many occasions over the past 19 years;

That he has been retained by Power Valley Enterprises, for the purpose of developing technical exhibits and analyses for the instant filing;

That the accompanying technical report and exhibits were developed by him personally or under his immediate supervision and that all the information presented therein is true and correct to the best of his knowledge and belief.

Signed and dated this 7th day of March, 1997

A handwritten signature in black ink, appearing to read 'Kirk A. Tollett', is written over a horizontal line.

Kirk A. Tollett  
Commsouth Media, Inc.  
P.O. Box 810  
Crossville, Tennessee 38557-0810  
(615)456-4656